

RECEIPT NO.: 44269

DATE APPLICATION RECEIVED: 8/8/19

DATE APPLICATION ACCEPTED AS COMPLETE: _____

**CITY OF PULLMAN
CONDITIONAL USE PERMIT APPLICATION**

APPLICANT:

NAME: Bob Perdue / Nelson Partners

ADDRESS: 16-B Journey Suite 200; Aliso Viejo, CA 92656

TELEPHONE: (949) 916-7300

STATUS (property owner, lessee, agent, purchaser, etc.): Owner

PROPERTY OWNER (if different than applicant):

NAME: _____

ADDRESS: _____

TELEPHONE: _____

PROPERTY LOCATION (general or common address):

Subject property is located on Johnson Avenue, immediately east of the intersection of Johnson Avenue and SE Bishop Boulevard.

ZONING DISTRICT: C3/R4

PROPOSED CONDITIONAL USE:

The proposed project consists of apartments for rent by WSU students. The scope of the project entails 292 apartments with 693 bedrooms. 617 parking spaces are proposed on the lowest levels of the project, facing west to Johnson Avenue.

The project requests variances from the City of Pullman zoning code, and are itemized on the enclosed memo issued by Rosemann & Associates.

All information provided in this application is said to be true under penalty of perjury by the laws of the State of Washington.

Applicant's Signature

Date

8/8/19

Memo



Date: August 8, 2019

ARCHITECTURE
INTERIOR DESIGN
ENGINEERING
PLANNING

To: City of Pullman

From: Douglas McElvain

Re: Conditional Use Permit Application
Elevate at Pullman
Pullman, Washington

Cc: Jarrett Cooper, AIA
Bob Perdue
Patrick Nelson
Tom Stirling

The following is a summary of sections of the Zoning Code which we are requesting a variance from:

1. 17.35085 Grading:

Developments should incorporate as nearly as possible the existing grades in the overall design of the project. Large grade changes should be divided by a series of benches and terraces, and individual retaining walls should be limited to eight (8) feet in height wherever possible. Buildings with multiple stories should be designed with both uphill and downhill floor plans slopes. (Ord. 03-33 §68, 2003).

Variance requested:

The proposed road through the site, to access the main entry of the building as well as the cell tower enclosure will run on the north side of the property. In order to access the cell tower and main entry, while maintaining a grade acceptable for emergency vehicles, a retaining wall will be used on the northern edge of the property. Much of the wall will be below 8'-0" in height, however a small portion is needed to be 10'-0" tall to accommodate the maximum allowable slope for emergency vehicles.

2. 17.40.040 Off-street Parking Area Design:

(1) Off-street Parking Space and Area Dimension. Except as otherwise provided in this Title, off-street parking spaces and areas shall be designed and constructed in accordance with the standards of Figure 17.40.1. In all zone districts except residential zone districts, up to twenty-five (25) percent of the spaces provided in any parking area of more than five (5) spaces may be sized for compact cars. In all residential zone

districts, up to fifty (50) percent of the spaces provided in any parking area of more than five (5) spaces may be sized for compact cars.

Variance Requested:

The parking layout varies from the Zoning code as follows:

Parking section width is proposed as 62'-0" in lieu of 64'-0".

Parking bank width is proposed to be 19'-0" in lieu of 20'-0"

3. 17.70.30 Use Chart

Variance Requested:

The proposed project entails a parking garage with apartments built upon it at the western end of the site, as well as an on-grade portion of the apartments on the eastern end of the site. The proposed parking ration proposed is .88 parking spots per bedroom.

4. 17.75.060 R4 High Density Multi-Family Residential District

The R4 High Density Multi-Family Residential District is intended to establish areas for high density residential developments. Uses are permitted with a maximum density of up to forty-four (44) dwelling units per net acre.

Variance Requested:

The proposed project contains 60.08 dwelling units per acre.

5. 17.75.080 Development Standards.

(2) *Minimum Lot Area Per Dwelling Unit.*

In the residential districts the minimum lot area per dwelling unit shall be as follows:

| District | Minimum Lot Area |
|----------|------------------|
| R4 | 1,000 sq. ft.; |

in this district only, the board of adjustment may reduce this limitation to as low as five hundred (500) sq. ft. and issue a conditional use permit for such reduction.

Variance Requested:

The proposed project has 1 dwelling unit per 724 square feet.

(3) *Maximum Residential Density.*

The maximum densities allowed in residential districts are as follows:

| District | Basic Density | PRD Bonus Density |
|----------|---------------|-------------------|
| R4 | 44 | 52 |

Variance Requested:

The proposed project contains 60.08 dwelling units per acre.

(6) *Maximum Building and Structure Height.*

The maximum height of a building or structure shall be as follows:

(c) *In R4: fifty (50) feet above grade.*

Variance Requested:

Refer to AS-100 and Z-series sheets for sections at building showing height above grade. Instances where the building exceeds this height are labeled.

6. 17.80.060 Development Standards.

Table 17.80.1 Standards

| | |
|--------------------------------|----------------------------------|
| (e) Minimum Side and Rear Yard | None (*2, *4) |
| (f) Maximum Height | None (*4) |
| (g) Maximum Gross Floor | 3 sq. ft. per sq.ft. of lot area |

Variance Requested:

The C3 section of the site contains 84,927 Square feet which would allow 254,781 GSF. Per the submitted site plan, the proposed project on the C3 zoned portion of the site contains 154,653 GSF of apartments and 154,653 GSF of garage. This totals 361,388 GSF

**2 - Twenty feet if adjacent to residential zoned property.*

**4 - No maximum height is imposed, but when a building exceeds thirty-five (35) feet in height, the portion of that building over thirty-five (35) feet in height shall be set back plane (1) foot from all side or rear property lines for each one (1) foot in height by which it exceeds thirty-five (35) feet.*

Variance Requested:

Refer to Z-series sheets for sections at building showing height above grade.

West Elevation (Front Yard): No variance required.

North Elevation (Side Yard): Refer to sections 3 through 6/Z-100.

East Elevation (Rear Yard): No variance required.

South Elevation (Side Yard): Refer to sections 1 and 2/Z-101.

APPLICANT'S FINDING OF FACT

Date: August 7, 2019

To: City of Pullman

From: Nelson Partners

Re: Elevate at Pullman
Pullman, Washington

- 1) That the proposed use is consistent with the Comprehensive Plan.

Finding:

The proposed development is consistent with the Comprehensive Plan by maintaining the current zoning overlay, utilizing a currently vacant site while utilizing the extremely challenging site topography. This project addresses a need for WSU off student housing, in the vicinity of the Main Campus.

The project is located south of campus, with the northern side of campus 1.5 miles away, keeping trips back and forth to campus short, and is walkable in the right conditions. Being located along a C3 zoned corridor along SE Bishop Boulevard places the future occupants of the project within a zone of commercial spaces which could potentially benefit from increased, regular traffic.

- 2) That the proposed use, and its location, are consistent with the purposes of the zone district in which the use is to be located.

Finding: The project maintains the existing zoning overlay.

- 3) That the proposed use will meet all required yard, parking, and other material development standards of the Zoning Code unless otherwise varied in the approved conditional use permit.

Finding: Please refer to the Memo generated by Rosemann & Associates regarding the requested variances for the project.

- 4) That the use, as approved or conditionally approved, will
 - a. be located on a site that is adequate in size and shape;
Finding: The project complies with the zoning concerning site coverage.
 - b. be located on a site that has sufficient access to streets and highways adequate in width and type of surface to carry the quantity and quality of traffic generated by the proposed use;

Finding: A traffic study will be completed to illustrate the adequacy of the site access.

- c. not have a significant adverse environmental impact on the adjacent area or the community in general;

Finding: Please refer to the Environmental Checklist for the accounting of the negligible impact of the project on the environment.

- d. be compatible with surrounding land uses;

Finding: The current area surrounding the project is a variety of uses, ranging from detached multi-unit apartments building, 1 story commercial buildings and non-conforming residential in C3 zoned plots. The variety of building uses and typologies does not place limits hinder the proposed project.

- e. be provided with adequate parking; and,

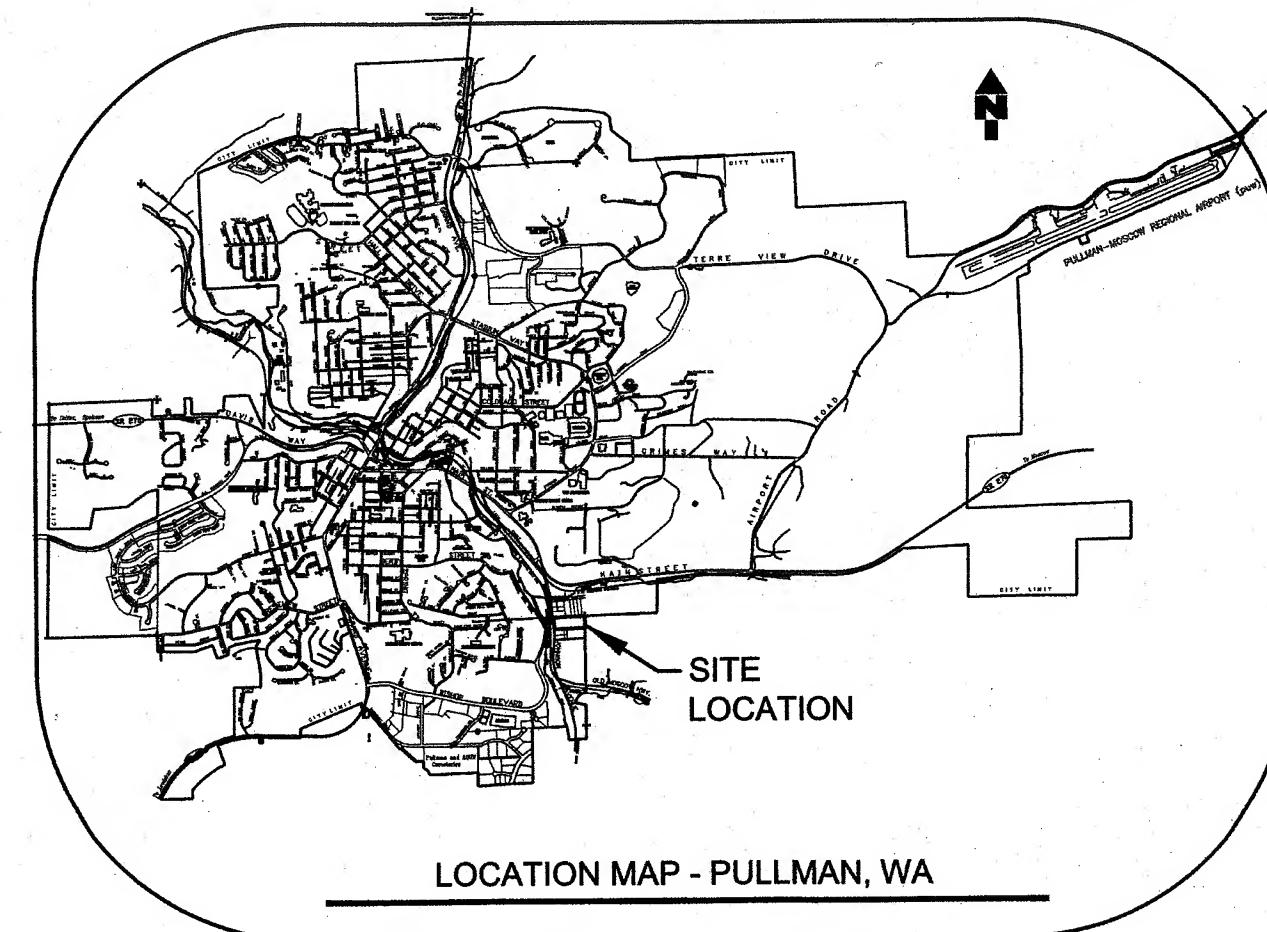
Finding: The proposed parking ratio of .88/bed is lower than the city requirements, but is in-line with previous similar projects undertaken. A variance is requested for this item.

- f. be served by adequate public utilities and facilities.

Finding: Adequate public utilities will be provided to the site.

RECORD OF SURVEY

A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 14
NORTH, RANGE 45 EAST, WILLAMETTE MERIDIAN, CITY OF PULLMAN, WHITMAN COUNTY, WASHINGTON

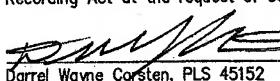


CORNER NOTES:

- F1 Found 3 1/2" Brass Cap for North Quarter Corner marked "WHITMAN COUNTY MONUMENT, 5, 8, T14 R45, WASHINGTON LS REG NO. 14827".
- F2 Found 3 1/2" Brass Cap for Northeast Section Corner marked "WHITMAN COUNTY MONUMENT, 5 | 4, 8 | 9, T14 R45, WASHINGTON LS REG 8996", 0.17± below surface, Southeast of white carsonite, 6' West of power pole.
- F3 Found 3 1/2" Brass Cap for Center of Section Corner marked "WHITMAN COUNTY MONUMENT, G7, 8 T R45, WASHINGTON LS 14827 REG NO."
- F4 Found Mag Nail with 2" Washer marked "CARSTEN, PLS 45152" at surface.
- F5 Found 5/8" Rebar with YPC marked "CARSTEN, PLS 45152" at surface.
- F6 Found 5/8" Rebar, no cap, bent to the west 0.4± below surface, N64°34'02"W, 0.15' from the calculated position.
- F7 Found 1/2" Rebar with YPC marked "A&C, 12904, at fence corner, S00°04'17"E, 0.18' from the calculated position.
- F8 Found 1/2" Rebar with YPC marked "A&C, 12904, at fence corner, S00°04'17"E, 0.39' from the calculated position.
- F9 Found 5/8" Rebar with YPC marked "MD&A, LS 14827", 6.0± north of fence corner, 0.2± above surface, N75°52'03"W, 0.13' from the calculated position.
- F10 Found 5/8" Rebar with YPC marked "MD&A, LS 14827", in concrete collar, 0.3' above surface, S01°23'00"E, 0.12' from the calculated position.
- F11 Found 5/8" Rebar with YPC, smashed, 4.0± northeast of power pole, 0.2' below surface, S87°21'21"W, 0.55' from the calculated position.
- F12 Found 1/2" Rebar no cap, bent to the west, 2.0± west of power pole, 0.3± above surface, S87°21'21"E, 8.29' from the calculated position.
- F13 Found 5/8" Rebar with YPC marked "MD&A, LS 14827", 6.0' west of fence, 0.3± above surface.
- F14 Found 5/8" Rebar with YPC marked "LS 12896", 0.4± below surface, N01°27'00"W, 0.137' from the calculated position.
- F15 Found 5/8" iron Pin, smooth surface, 0.2± above surface.
- F16 Found 3/4" Rebar no cap, on fence line, 0.5± above surface.

SURVEYOR'S CERTIFICATE:

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of Gary McWilliams in January of 2016.

 04-12-16
Darrel Wayne Corsten, PLS 45152
DATE

AUDITOR'S CERTIFICATE:

Filed for record this 213 Day of January 2016, at 9 M. in Book 9 of 1 at Page 1,
Auditor's File Number 213 at the request of Whitman County Auditor

734702
Survey Rec Fee: \$ 162.00
04/12/2016 10:32 AM Page: 1 of 2
Eunice L. Coker, Whitman County Auditor

OFFICIAL DOCUMENTS:

- R1 Pioneer Title Company, Title Order No. P-88229, Floyd Short and Komodo Investments, LLC, January, 2016, Researched By: J. Todd Cumming
- R1A Northern Pacific Railroad, Right of Way And Track Map, Idaho Division, Palouse and Lewiston Branch, Pages VII-19, VII-ST&S 19A, VII-20, VII-ST&S 20A, DNR DOC ID 263743, Created in DNR 2001.
- R2 Northern Pacific Railroad, Pullman Junction, Station Map Tracks & Strictures, Office District Engineer, Spokane, Washington, 1940.
- R3 Whitman County Engineer, Map & Profile Pullman-Busby Road, C.R.P. No. 115-F.A.S.669-S.0669(1), Sheets 2 and 3 of 5 Sheets, by John Arrasmith, January 3, 1956.
- R4 Gormsen Subdivision No 1, AFN 628503, 2001, Surveyor: Daud
- R5 SP, Gormsen Short Plat No. 1, AFN 605259, 1997, Surveyor: Murtha
- R6 Survey For: Komodo Investment, LLC, AFN 727958, 2015, Surveyor: Carsten
- R7 Survey For: Margie Celmmer, AFN 720834, 2013, Surveyor: Carsten
- R8 Survey For: Verizon, AFN 654332, 2004, Surveyor: Clark
- R9 Survey For: Greg Haynes, AFN 639525, 2002, Surveyor: Murtha
- R10 Survey For: Mike Gormsen, AFN 71720, 1992, Surveyor: Murtha
- R11 Survey For: Pullman Congregation of Jehovah's Witnesses Inc., AFN 71114, 1976, Surveyor: Carey

LAND DESCRIPTION PER R1

A tract of land in the northeast quarter of the northeast quarter of Section 8, Township 14 North, Range 45 East, W.M., described as follows:

COMMENCING at the northeast corner of said Section 8 and running thence along the section line south 41°2' west a distance of 4.33 chains (285.78 feet); thence north 87°56' west 11.13 chains (734.58 feet); thence north 1°25' east 4.11 chains (271.26 feet) to the north line of said section; thence south 89°06' east 11.33 chains (747.78 feet) to the place of BEGINNING.

LAND DESCRIPTION

DESCRIPTION of a parcel of land located in the Northeast Quarter of the Northeast Quarter of Section 8, Township 14 North, Range 45 East, Willamette Meridian, City of Pullman, County of Whitman, State of Washington, more particularly described as follows:

BEGINNING AT the Northeast Corner of said Section 8, said corner bears North 87°14'26" East, 2662.97 feet from the North Quarter Corner of said Section 8; Thence South 00°30'04" East, 285.83 feet along the east line of said Section 8; Thence South 87°21'21" West, 727.52 feet to the east right of way line of Johnson Avenue and to a point on a curve to the left; Thence the following 3 courses along said right of way line;

- 1) Along a non-tangent curve to the left, the radius of which bears South 84°10'35" West 1939.86 feet, a central angle of 01°23'52", (the chord of which bears North 06°31'21" West, 47.32 feet), for an arc length of 47.33 feet along said east right of way line of Johnson Avenue;
- 2) North 07°13'18" West, 125.03 feet to a point on a curve to the left, on the east right of way line of the Northern Pacific Railroad;
- 3) Along a non-tangent curve to the left, the radius of which bears South 86°22'55" West 3919.72 feet, a central angle of 01°38'31", (the chord of which bears North 04°26'20" West, 112.32 feet), for an arc length of 112.32 feet to the north line of said Section 8; Thence North 87°14'26" East, 754.91 feet along said north line to the POINT OF BEGINNING.

CONTAINING: 211,520.0 square feet or 4.86 acres of land, more or less.

SURVEYOR'S NOTES:

1. We accepted the monuments F1 and F2 as the north line of Section 8, Township 14 North, Range 45 East, Willamette Meridian. A portion of said north line is the north boundary of the subject property.
2. We accepted the monuments F2 and F16 as the east line of said Section 8. A portion of said east line is the east boundary of the subject property.
3. We used a best fit line between the monuments F9, F10 and F11, and extended said line to the east line of said Section 8 and trimmed the line at the east right of way line of Johnson Avenue.
4. We used R3 to reconstruct the centerline Johnson Avenue and best fit said centerline between the centerline Station calls to the north line of said Section 8 and the south line of the Northeast Quarter of said Section 8. We offset said centerline easterly 30 feet for the east right of way line of said Johnson Avenue. A portion of the east right of way is a portion of the west boundary line of the subject property.
5. We used R1 and R2 to reconstruct the centerline of the Northern Pacific Railroad and best fit said centerline with field locates of the approximate centerline of the now removed tracks to the centerline Station calls and the north line of said Section 8. We offset said centerline 100 feet easterly and westerly for the east and west right of way line for said railroad. A portion of the east right of way is a portion of the west boundary line of the subject property.



Taylor Engineering, Inc.
Civil Design and Land Planning
245 E. Main St.
Pullman, Washington 99163
(509) 334-5115 FAX (509) 334-5956

DATE: 02-17-16
FIELD CREW: JMV
DW: DWC CK:D: ERC
PROJ #: 16-P008
DW: NKA-ROS

| | | | |
|--------------------------|--|-------|------|
| SURVEY FOR | | SHEET | |
| CROSSROADS RETAIL CENTER | | 1 | OF 2 |
| | | | |

RECORD OF SURVEY

A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 14 NORTH, RANGE 45 EAST, WILLAMETTE MERIDIAN, CITY OF PULLMAN, WHITMAN COUNTY, WASHINGTON

AUDITOR'S CERTIFICATE:

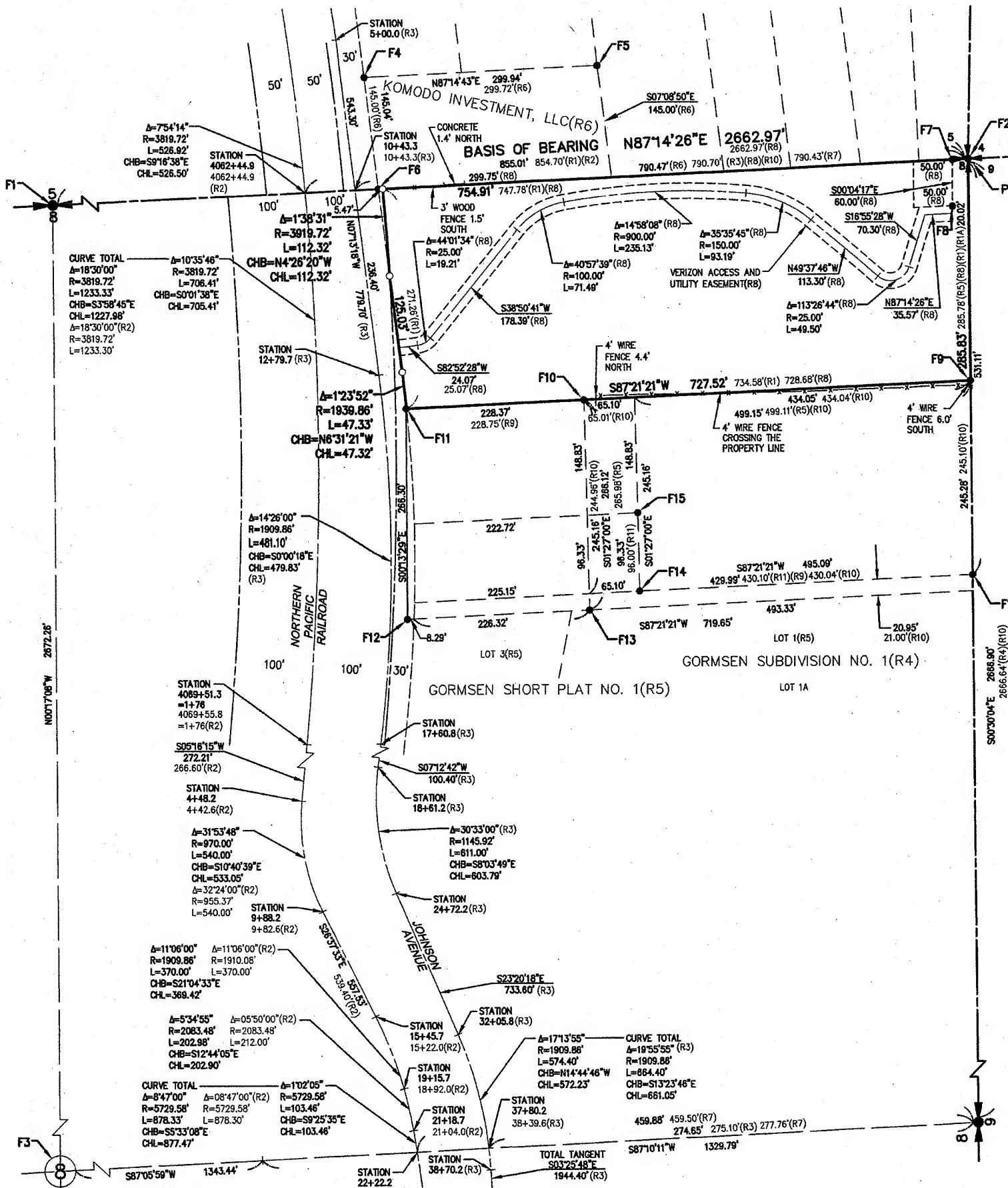
Filed for record this 21 Day of February 2016, at
M. in Book 9 of Surveys at Page 2
213 Auditor's File Number 2 at the request of

Whitman County Auditor

734702
Surveys Rec Fee: \$ 182.00
04/12/2016 10:32 AM Page 2 of 2
Eunice L. Coker, Whitman County Auditor



100 50 0 100 200
SCALE FEET



LEGEND:

| | | | |
|--|---|-----|---------------------------------|
| | SECTION CORNER AS NOTED | DNR | DEPARTMENT OF NATURAL RESOURCES |
| | 1/4 SECTION CORNER AS NOTED | YPC | YELLOW PLASTIC CAP |
| | CENTER OF SECTION | AFN | AUDITOR'S FILE NUMBER |
| | FOUND MONUMENT SEE CORNER NOTES | POB | POINT OF BEGINNING |
| | SET 5/8" REBAR WITH YPC MARKED "CARSTEN, PLS 45152" | | PROPERTY LINE |
| | CALCULATED ANGLE POINT, NOTHING SET | | 1/4 SECTION LINE |
| | (R1) RECORD INFORMATION SEE OFFICIAL DOCUMENTS | | EXISTING CENTERLINE |
| | | | EXISTING RIGHT OF WAY LINE |
| | | | EXISTING LOT LINE |
| | | | EXISTING EASEMENT LINE |
| | | | EXISTING CONCRETE |
| | | | EXISTING FENCE |

PURPOSE OF THE SURVEY:

This Record of Survey was requested by Gary McWilliams to locate the property lines of an unplatet Lot and to monument any missing property corners.

CORNER VISITATION:

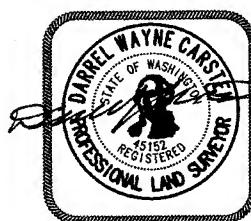
The monuments shown as found and tied hereon were visited in February of 2016.

BASIS OF BEARING:

The Bearing of North 87°14'26" East 2662.97 feet was assumed along the north line of the Northeast Quarter of Section 8, Township 14 North, Range 45 East, Willamette Meridian, between corners F1 and F2.

ACCURACY STATEMENT (WAC 332-130-100)

This survey was performed using a Leica TS15P, 3-Second Total Station and a Leica GS14 Performance Smart Antenna for a combination of field traverse and GPS survey methods to meet or exceed the required standards for land boundary surveys per WAC 332-130-090.



04-12-16

| | |
|--------------------------|-----------|
| DATE: 02-17-16 | |
| FIELD CREW: JMV | |
| DW: DW | CK'D: ERC |
| PROJ. #: 16-P008 | |
| DWG: NKA-ROS | |
| SHEET | |
| SURVEY FOR | |
| CROSSROADS RETAIL CENTER | |
| 2 | OF 2 |

750660
Warranty/gcd Rec Fee: \$ 101.00
12/20/2018 02:37 PM Page: 1 of 3
Eunice L. Coker, Whitman County Auditor



AFTER RECORDING, RETURN TO:

Nelson Partners, LLC
16B Journey, Suite 200
Aliso Viejo, CA 92565
Attn: Amy Pikula

EXCISE TAX
ON REAL ESTATE SALE
Paid \$ 18,360.00

No. 78207
Data 12-20-18

Whitman County Treasurer

Debbie K. Patrick
Deputy

STATUTORY WARRANTY DEED

Abbrev. Legal Desc: Ptn NE1/4, NE1/4, Sec. 8, T 14N, R 45 EWM, Whitman Cty.
Full Legal Desc. on page 3

GRANTOR, KOMODO REAL ESTATE DEVELOPMENT, LLC, an Idaho limited liability company, for and in consideration of ten dollars and other valuable consideration, conveys and warrants to NELSON PARTNERS, LLC, a Utah limited liability company, the following described real estate, situated in the County of Whitman, State of Washington:

LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A"

TAX PARCEL NO. 8 1490 00 00 00 0016

SUBJECT TO: Covenants, easements, encumbrances, restrictions, leases, agreements and all other matters of record.

DATED: December 17, 2018

KOMODO REAL ESTATE DEVELOPMENT, LLC

BY Floyd W. Short
FLOYD W. SHORT, MANAGER

750660

Warranty/qqd Rec Fee: \$ 101.00
12/20/2018 02:37 PM Page: 2 of 3
Eunice L. Coker, Whitman County Auditor



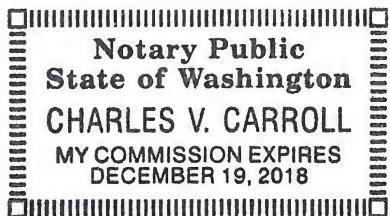
STATE OF WASHINGTON)

) ss:

County of SPOKANE)

On this day personally appeared before me FLOYD W. SHORT, known by me, or proven to me on the basis of satisfactory evidence, to be the individual described in and who executed the within and foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned and on oath stated that he was authorized to execute said instrument as the authorized Manager of KOMODO REAL ESTATE DEVELOPMENT, LLC.

Given under my hand and official seal this 17 day of December, 2018.



Notary Public in and for the State of Washington, residing at Spokane
My commission expires 12/19/18

750660

Warranty/qcd Rec Fee: \$ 101.00
12/20/2018 02:37 PM Page: 3 of 3
Eunice L. Coker, Whitman County Auditor



EXHIBIT "A"
LEGAL DESCRIPTION

That portion of the Northeast Quarter of the Northeast Quarter of Section 8, Township 14 North, Range 45 East, W.M., in Whitman County, Washington, described as follows:

Commencing at the Northeast corner of said Section 8;
Thence along the Section line South 04°12' West a distance of 4.33 chains;
Thence North 87°56' West 11.13 chains;
Thence North 01°25' East 4.11 chains to the North line of said Section;
Thence South 89°06' East 11.33 chains to the point of beginning.